MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

FEBRUARY 2, 2016

INVOCATION:
Pastor Carl Nielsen of Bethel Lutheran Church gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zuniga led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, City Librarian Housel, Director of Public Works/City Engineer Kahn, Interim Fire Chief Kenley, Police Chief Martin, Director of Utilities Springer, Director of Administrative Services Visé, Assistant City Attorney Sinco, Project Manager Sweet, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:
As there were no proclamations or presentations, Mayor Patino requested that Police Chief Martin give an update on the increase in violent crimes the City has been experiencing.

Police Chief Martin presented statistics on the recent activity in the community. For the past 15 years, the City of Santa Maria has averaged three or four homicides per year (the same as the National Average for a City of 100,000 residents). In 2015, there were thirteen homicides. Two of the thirteen homicides involved domestic violence. One was a home invasion robbery. One was a bar fight that spilled into the parking lot where a person was intentionally run over by a car. Eight of the remaining nine homicides were, one-way or another, linked to street gang activity. No witnesses have come forward to assist with the investigation of the eight gang-related homicides.

In January 2016, there were six homicides. Two separate, gang-related, double-homicides occurred when two males were shot multiple times. In addition, a fifteen year old male was stabbed to death during gang-related activity. The sixth homicide was an infant death.

In the past year, the Police Department has increased its full-time detectives from 5 to 13. They have also added a full-time crime analyst, an additional crime scene investigator (there are now four in total), two additional gang suppression officers, one additional detective sergeant, and one part-time retired detective to handle routine cases while other investigators work on the homicides. At any one time, there are 15-20 officers patrolling the City (except between 2:30 a.m. and 6:30 p.m. when there is about half that number). There were 20 officers and 8 investigators on duty the day the City had three homicides in a six-hour period. The Police Department is working in collaboration with outside law enforcement agencies on these recent cases. Chief Martin stated that a very limited number of people are committing these homicides and he asked that anyone with information come forward. Witnesses will remain anonymous.

2. PUBLIC COMMENT PERIOD
Richard Dydell, representing the Campaign for Comprehensive Immigration Reform (CCIR), spoke about his concern for recently arriving immigrants who might be tempted to join gangs. The CCIR supports the H-2A Agricultural Workers Program where farm workers are screened, given temporary work visas, and return to their own countries with their earnings.

Chuck Flacks, representing the Central Coast Collaborative on Homelessness, thanked the City Council for their support regarding a day center and a 24-hour shelter, particularly with the recent rains. He also spoke about a collaboration with City staff in an effort to give shelter to chronically homeless people who may be unable to find shelter anywhere else.

George Alvarez suggested the City Council come up with a specific plan to fight gang violence and offering more options to youth in the City. He also asked why the City does not have community-based policing.

Joelyn Lutz spoke about paying it forward and invited everyone to join her at 4:00 p.m. at the First United Methodist Church on February 14th, where she will be performing from her new CD free of charge.

Nancy Stewart praised the Santa Maria Police Department and expressed her anger at people who were criticizing the way recent violent activity was being handled. She also expressed disbelief at the lack of parenting being done for the underage perpetrators.

City Manager Haydon asked City Attorney Trujillo to clarify the reason for the Public Comment Session at Council meetings and why the City Council is not at liberty to go into lengthy discussions with those who speak during Public Comment.

City Attorney Trujillo explained that the Brown Act prohibits any action or lengthy discussion on items not posted on the agenda. It does, however, provide staff and Councilmembers the opportunity to briefly respond and/or provide factual information.

In response to Mr. Alvarez' statement saying the Santa Maria Police Department does not do community-based policing, City Manager Haydon requested that Police Chief Martin explain the City's community-based policing efforts.

Police Chief Martin indicated that there are three full-time police officers in the schools, soon to be four. There are also three beat-coordinators who address quality of life issues with residents. The City Council and Police Department have held four town hall meetings to address issues in the community. Chief Martin also stated he and his team never turn down speaking engagements or opportunities to address groups. He noted that Detectives are spending 1,000 hours per week working on the homicide investigations. One full-time Detective is working on the missing person's case regarding Ivan Nunez who has been missing for five weeks. The City Council, Chief of Police, and City Manager Haydon recently attended One Community Action with the School District. In addition, a Stakeholders' meeting was recently conducted with the Police Department and key figures in the community. Chief Martin also gave statistics regarding the workload not related to processing gang violence issues. With the release of state prisoners due to AB109, the workload has shifted and increased for all law enforcement agencies. Public safety cameras are being installed throughout the City. He also urged voters to carefully review ballots in November to be aware of current issues.

Mayor Patino expressed her concern and outrage at the recent violence in the City and reiterated the concern of all Councilmembers.

Councilmember Boysen commented that the situation was frustrating with no witnesses coming forward, but everything that could be done was being done to resolve the recent violence.

Councilmember Orach commented on how important it was to keep the lines of communication open and he encouraged witnesses to contact their clergy if they were not comfortable coming forward to the police.

Councilmember Waterfield thanked those in the community who had come together in an effort to resolve the recent violence.

Councilmember Zuniga stated she appreciated the community members who had come forward to speak with Council about the situation. As a staff person at the District Attorney's Office, she reassured everyone that the Council was very aware of on-going efforts by the Police Department.

3. CONSENT CALENDAR:
Councilmember Waterfield indicated that she would be recusing herself from voting on Item 3C, Warrants, due to a financial conflict of interest.

Councilmember Boysen requested that Item 3F be pulled for comment and separate consideration.

Item 3F - Shelter Crisis Declaration
Councilmember Boysen thanked City staff for ensuring the safety of the homeless in the City. An agreement has been worked out with the Santa Maria Armory on Thornburg Street to use the Armory as a day shelter and at night time, as needed. Councilmember Boysen requested that $8,435 in funding be allocated from the City of Santa Maria to the County of Santa Barbara in support of the day shelter program at the Santa Maria Armory. This amount represents expenses and lost revenue the City would have incurred had the day shelter been located at the originally proposed Minami Center.

Consent Calendar Items 3A through 3I (except Items 3C and 3F) were approved on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None

ABSENT: None
ABSTAIN: None

Consent Calendar Item 3C only, Warrants, was approved on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 4-0-1

AYES: Councilmembers Boysen, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Waterfield

Consent Calendar Item 3F only, declaring a "Shelter Crisis," was approved, and direction was given to staff to reallocate $8,435 from the City of Santa Maria to the County of Santa Barbara to fund the day shelter program, on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the regular Meeting of the City Council of January 19, 2016, were approved as amended.

C. WARRANTS
Warrant Nos. 198184 to 198504 totaling $5,055,191.53 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. 2016 TECHNICAL AMENDMENTS TO THE MUNICIPAL CODE
The City Council conducted the second reading and adopted, by title only, Ordinance No. 2016-05 making technical amendments to the Santa Maria Municipal Code.

Ordinance No. 2016-05 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE RELATING TO THE CITY ATTORNEY, LIBRARY BOARD, PERSONNEL, SIGNING OF CONTRACTS, TRANSIENT OCCUPANCY, PROPERTY NUISANCE, SAFETY INSPECTIONS, RESIDENCY RESTRICTIONS, PARKING, PAYMENT OF GROWTH MITIGATION FEES, FLOOD CONTROL, VOLUNTARY MERGER, ZONING CODE DEFINITIONS, AND HOTELS/MOTELS.

F. DECLARATION OF A SHELTER CRISIS
The City Council adopted a resolution declaring a "shelter crisis" in accordance with Government Code §8698, which states that the City may declare a shelter crisis upon a finding that a significant number of persons within its jurisdiction are without the ability to obtain shelter, and the situation has resulted in a threat to the health and safety of those persons.

Resolution No. 2016-07 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING A SHELTER EMERGENCY PURSUANT TO GOVERNMENT CODE §8698.

G. BETTERAVIA PLAZA – AMENDMENT TO ZONING MAP
The City Council conducted the second reading and adopted, by title only, Ordinance No. 2016-03 amending the official zoning map on 55.17 acres, located at the north side of West Betteravia Road, east of South Blosser Road.

Ordinance No. 2016-03 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP ON 55.17 ACRES, LOCATED AT THE NORTH SIDE OF WEST BETTERAVIA ROAD, EAST OF SOUTH BLOSSER ROAD.

H. BETTERAVIA PLAZA – DEVELOPMENT AGREEMENT
The City Council conducted the second reading and adopted, by title only, Ordinance No. 2016-04 approving a Development Agreement (DA2015-0001) for Steve Zimmerman, Palmetto Group, LLC and Valley Oaks Investment, on the 55.17 acre property located at the north side of west Betteravia Road, east of Blosser Road.

Ordinance No. 2016-04 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (DA2015-0001) FOR STEVE ZIMMERMAN, PALMETTO GROUP, LLC AND VALLEY OAKS INVESTMENT, ON THE 55.17 ACRE PROPERTY LOCATED AT THE NORTH SIDE OF WEST BETTERAVIA ROAD, EAST OF BLOSSER ROAD.

I. LIBRARY BEQUEST – HILDEGARD GARTNER
The City Council adopted a resolution accepting a bequest from the Hildegard Gartner Individual Living Trust to the Santa Maria Public Library.

Resolution No. 2016-08 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE RECEIPT OF THE GARTNER BEQUEST FOR THE SANTA MARIA PUBLIC LIBRARY.

4. LAZ-E-DAZE DEVELOPMENT AGREEMENT.
The City Council conducted the continued Public Hearing from January 5, 2016, and considered a modified Development Agreement for Western Sky Communities, LLC, to phase improvements on a boarding house/mixed-use project on an approximate four acre piece of property located at 1300-1324 North Broadway.

Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. The property front will be on Broadway with access from Sunset Avenue, Orchard, and McClelland. The property is currently zoned as High Density Residential in the back and General Commercial in the front.

Establishing a Development Agreement would allow the City Council the flexibility to adjust municipal code requirements as the project moves forward. The Agreement would allow the owner up to four years to complete the required conditions of approval for the boarding house. The benefit to the City would be that the project site would be significantly improved and would result in significantly less calls for service.

Councilmember Zuniga asked what was unique about the project in terms of allowing the developer the extra time. She expressed interest in a shorter timeline for the work.

Community Development Director Appel responded that the developer had originally tried to do all the necessary work at one time and found it too prohibitive financially. Staff believes it would be beneficial to the City to allow the current owner time to make the modifications over the next few years.

Councilmember Orach indicated that he had ex-parte communications with representatives from Western Sky Communities.

Applicant's comments
Mr. Teixeira commented that some of the required work takes a significant amount of time to do. For example, removing and relocating the City sewer line is a longer process that involves engineering and Caltrans permits. Security cameras have been put in place and a security company has been hired to help police the property.

Written communications
There were no written communications.

Public hearing
Mayor Patino opened the Public Hearing at 7:34 p.m.

Rick Martyn commented that he was concerned about the long timeline for the project.

Charles Huffines, a former tenant at Laz-E-Daze, stated he was opposed to the project as it was his experience that there were significant health issues in the building such as bedbugs, roaches, mildew, and mold.

Hearing no other requests to speak, Mayor Patino closed the Public Hearing at 7:38 p.m.

Council discussion

Councilmember Boysen indicated that he had had ex-parte communications with the developer. He stated he believed the County of Santa Barbara should take on more of the responsibility for farm worker housing. He expressed his concern for displacing individuals who were currently living on the property.

Councilmember Waterfield stated that she supports the H2-A program and she encouraged the audience to learn more about it.

Councilmember Boysen stated that he also supports the H2-A program, but believed the housing should be situated on farmland and not in cities.

Mayor Patino stated that she agrees that the H2-A housing should be on farmland and should probably be more of a County issue.

Councilmember Zuniga reiterated that she would be in favor of the project if the timeline was shorter.

Ordinance No. 2016-02 was introduced by title only for first reading and continued to the next meeting for second reading and adoption approving a Development Agreement (DA2014-0002) for Western Sky Communities, LLC, on the 3.99 acre property located at 1300 – 1324 North Broadway, on motion by Councilmember Boysen, seconded by Councilmember Waterfield, and carried on the following vote: 4-1

AYES: Councilmembers Boysen, Orach, Waterfield, and Mayor Patino
NOES: Councilmember Zuniga
ABSENT: None
ABSTAIN: None

Ordinance No. 2016-02 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (DA2014-0002) FOR WESTERN SKY COMMUNITIES, LLC, ON THE 3.99 ACRE PROPERTY LOCATED AT 1300 – 1324 NORTH BROADWAY.

REPORT BY CITY MANAGER:

City Manager Haydon reported the next City Council meeting would be on February 16, 2016, and would include a resolution for retiring Community Programs Manager Coelho-Hudson; a commendation to retiring Block Grants Advisory Committee Member Yglesias; the second reading of the ordinance approving the Laz-E-Daze Development Agreement; the annexation of parcels into landscape maintenance districts; and the second quarter financial report for fiscal year 2015-16. He also mentioned a phone scam taking place in Los Angeles County where a caller had been asking for donations to the Los Angeles County libraries. He clarified that neither the Los Angeles County libraries, nor the Santa Maria Public library were seeking donations by phone.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):

Councilmember Zuniga reported that she attended the Chamber of Commerce Board Meeting; a meeting with the Spanish Ministerial Association; a meeting with Pastor Wesson of New Hope Baptist Church; the One Community Action meeting; a Community Action Commission Talking-Circle; the Central Coast Literacy Council Volunteer Appreciation Luncheon; and she clarified for the viewing public that delivery of cannabis **is** allowed in the City per the recent ordinance passed by the City Council.

Councilmember Waterfield reported that she attended the Air Pollution Control District Board meeting on behalf of the Mayor; a Drug Treatment Court Commencement Ceremony; and the All-Catholic School Mass Day.

Councilmember Orach reported that he attended the Fire Protection Appreciation Dinner at the Elks Lodge and the One Community Action meeting.

Councilmember Boysen reported that the Central Coast Water Authority has the opportunity to obtain an additional 12,000 acre feet of water to be used as additional drought buffer. The City of Santa

Maria would need to receive Board of Supervisor approval in order to obtain the water. The item will be coming before the Board of Supervisors on Tuesday, February 9th. Central Coast cities are requesting the water, but South Coast cities have not. Part of the reason the City of Santa Maria has requested the allocation will be to help meet the demand to supply water to Nipomo per their agreement with Santa Maria.

Mayor Patino reported that she attended the Fire Protection Appreciation dinner; the SBCAG monthly Board Meeting; the City of Santa Maria's Leadership Academy Graduation Ceremony; the Fighting Back Santa Maria Valley Board Meeting; a Council on Alcoholism and Drug Abuse North County Meeting; the Traveling 911 Memorial at the Mall; a meeting with Dr. Wesson of the New Hope Baptist Church; the Drug Treatment Court Commencement; the Foodbank's recent recognition ceremony honoring its major donors; a reception at SESLOC bank; the One Community Action meeting; the 50th Anniversary of the Boys & Girls Club; the All Catholic Schools Mass; and spoke on the Ben Heighes Radio Show.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:02 p.m.

APPROVED:

February 16, 2016
Date

Rhonda M. Garietz, CMC
Chief Deputy City Clerk and ex officio Clerk of the City Council

ATTEST:

Rhonda M. Garietz, CMC
Chief Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria